

JUN 21 2006

PATENT APPLICATION

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 10991251-2

Inventor(s): David W. Boyd
Application No.: 10/624245
Filing Date: Jul 21, 2003

Confirmation No.: 7654
Examiner: Heather D. Gibbs
Group Art Unit: 2625

Title: Digital Image Scanner With A Variable Aperture Lens And Multiple Scanning Speeds

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER RESPONSIVE TO A DOUBLE PATENTING REJECTION

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,821,600 to Hewlett-Packard Development Company, L.P. which issued on September 16, 2003 and is commonly owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the required fee set forth in 37 CFR 1.20(d) of \$130.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

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Typed Name: Cathi Christensen
Signature: Cathi Christensen

Rev 10/05 (TermObi)

Respectfully submitted,

David W. Boyd

By David W. Boyd

David W. Boyd

Attorney/Agent for Applicant(s)

Reg No.: 50,335

Date: 21-JUN-2006

Telephone: 970 898 4475

86/22/2006 MBIHAS 08080034 082025 10624245

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Typed Name: Cathi Christensen

Signature: *Cathi Christensen*

REV 10/05 (TermDis)

Respectfully submitted,

David W. Boyd

By: *David W. Boyd*

David W. Boyd

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